

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 27-32, 34, 36, 58, 59 and 61-80 are pending in the application, with claims 27, 28, 72 and 73 being the independent claims. Claims 27-32, 34, 62, 63, 72 and 73 have been amended, and new claims 74-80 have been added to define Applicants' invention with greater particularity. These amendments and new claims add no new matter as they are fully supported by the specification and original claims as filed. For example, support for a selection step can be found, *inter alia*, at page 56, lines 11-13; support for the function of flanking or spacer amino acids can be found, *inter alia*, at page 17, lines 8-17 and page 19, line 18-page 20 line 7; and support for new claims 74-80 can be found throughout the specification, *inter alia*, at page 29, line 16-page 34, line 7; page 36, line 17-page 37, line 21; and page 56, line 4-page 59, line 14. In addition, claims 35 and 60 have been cancelled without prejudice to or disclaimer of the subject matter therein.

This Amendment is being filed along with a request for continued examination. Therefore, entry of the amended and new claims is respectfully requested.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112, first paragraph

Applicants respectfully traverse the rejection of claims 27-32, 34-36 and 58-73 under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written

description requirement. Applicants respectfully submit that the amendment of the claims filed 5/24/04 did not introduce any new matter, but merely re-worded the previously pending claims. However, solely in an effort to expedite prosecution and not in acquiescence to the rejection, Applicants have amended the claims using the exact language presented in the specification to further define the claimed invention with greater particularity.

With respect to the rejection of claim 27 and claims dependent thereon based on the alleged introduction of a generic spacer without any limitation as to the type of spacer, Applicants have amended claims 27, 28, 62, 63, 72 and 73, and repeated the same language in new claims 75-80, to recite that the insertion of the flanking or spacer amino acid residue(s) prevents the occurrence of any CTL, HTL or CTL/HTL junctional epitopes. Accordingly, these claims have been amended to address the Examiner's concern and Applicants respectfully request that this rejection be withdrawn.

With respect to the rejection of claim 27 and claims dependent thereon based on the addition of a selecting step, Applicants have amended claims 27, 28, 62, 63, 72 and 73, and repeated the same language in new claims 77 and 78, to clarify that the selection step involves the selection of epitopes which contain HLA allele-specific motifs or supermotifs, which are in fact either CTL or HTL epitopes. Applicants would like to clarify for the Examiner's benefit that CTL or HTL epitopes are peptides which contain either HLA class I (CTL)-specific motifs or supermotifs (*e.g.*, A1, A2, *etc.*) or HLA class II (HTL)-specific motifs or supermotifs (*e.g.*, DR) (see specification, *e.g.*, at page 15, lines 6-10). It is these allele-specific motifs or supermotifs that are useful in the identification of CTL or HTL epitopes for inclusion in the multi-epitope constructs. To

avoid confusion, however, Applicants have amended the claims to clarify that the epitopes contain HLA allele-specific motifs or supermotifs of the HLA class I and/or HLA class II types, as appropriate to the claimed selection steps. Accordingly, these claims have been amended to address the Examiner's concern and Applicants respectfully request that this rejection be withdrawn.

With respect to the rejection of claim 60, Applicants have cancelled claim 60. Therefore this rejection has been rendered moot and Applicants respectfully request withdrawal of the rejection.

With respect to the rejection of claims 62 and 63 based on the selecting and spacer steps, these claims have been similarly amended, as described above, to address the Examiner's concern and Applicants respectfully request that this rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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